

EXHIBIT D

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re:)	
)	
CIRCUIT CITY STORES, INC., ET AL.,)	Case No. 08-35653
)	Chapter 11
Debtors.)	Jointly Administered
)	
)	
)	
)	

**ORDER GRANTING MOTION OF TOWNE SQUARE PLAZA TO ALLOW THE
FILING OF (1) AMENDED PROOF OF CLAIM AND (2) LATE PROOF OF CLAIM**

This matter came before the Court on the Motion of Towne Square Plaza, c/o Grubb & Ellis Management Services (the "Movant"), by counsel, to allow the filing of (1) an Amended Proof of Claim, and (2) a late Proof of Claim (the "Motion").¹ Upon consideration of the Motion, the evidence, and all related pleadings, the Court finds as follows:

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¹ Capitalized terms not defined herein have the meanings ascribed to them in the Motion.

1. The Court has jurisdiction over these bankruptcy cases and the Motion pursuant to 28 U.S.C. §§ 157 and 1334.

2. Venue of these bankruptcy cases and the Motion is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

3. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

4. Proper and adequate notice of the Motion and the hearing on the Motion has been given to all necessary parties.

5. Based on the facts presented and the relevant evidence, Movant is entitled to the relief requested in the Motion and cause exists to grant the relief to Movant as provided herein.

WHEREFORE, based on these findings, and finding that cause exists, and otherwise finding it reasonable and necessary to do so, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

1. The Motion is granted in its entirety.

2. Claim No. 573 filed in these cases on December 4, 2008 may be amended to assert an administrative priority claim for post-petition rent in the amount of \$45,370.92, which amended claim shall be considered timely filed.

3. Movant may file an unsecured claim for rejection damages in the amount of \$544,451.04, which claim shall be considered timely filed.

4. Nothing contained herein shall be deemed an allowance of either claim.

5. Movant is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order and as requested in the Motion.

6. The Clerk is directed to send copies of this Order as entered to the parties on the Service List at the addresses set forth below.

Dated: _____
Richmond, Virginia

HONORABLE KEVIN R. HUENNEKENS
UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: _____

WE ASK FOR THIS:

/s/ Robert S. Westermann
Counsel

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CERTIFICATE OF ENDORSEMENT

I hereby certify that all necessary parties have endorsed this Order as required by
Local Bankruptcy Rule 9022-1(C).

/s/ Robert S. Westermann

Service List for Copies of Entered Order:

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